

REMARKS/ARGUMENTS

This paper is responsive to the Office Action mailed on March 28, 2008. Reconsideration of the application in light of the accompanying remarks and arguments is respectfully requested.

In that action, the Examiner objected to the specification as lacking proper section headings. These headings have been added by the present amendment. In addition, a correction has been made to the paragraph beginning on page 2, line 3. No new matter has been added and the specification is believed to be proper as amended.

The Examiner also rejected the claims under 35 USC 112, and explained areas which were believed to be indefinite. By the present paper, a number of claims have been amended to address the Examiner's concerns, and reconsideration on other such points is requested.

As to claim 1, line 5, this has been addressed and is believed clear as rewritten.

As to claim 1, lines 8-9, reconsideration is requested. The claim calls for the engagement element to be rotatable with the "other bracket" and fixed relative to the one bracket. This is also shown in the drawings, and clearly explained in the specification. It is not seen how this language is in any way indefinite and so reconsideration is requested.

As to claim 1, lines 12-13, the at least two stop members are clearly described and shown in the specification and drawings, as is their exemplary positioning relative to the hinge pin. Reconsideration is requested.

As to claim 1, lines 17-18, this portion of the claim is also believed to be definite. The spring element being positioned between opposite or neighboring stop members is clearly disclosed in the specification and drawings and is claimed with sufficient specificity. Reconsideration is requested.

As to claim 2, line 3, this change has been made.

As to claim 3, line 4, this claim has been amended to address the Examiner's concerns.

Claim 4 has been amended to make the language more consistent with claim 1, and the claim is believed to be in proper form.

As to claim 5, "spring elements" has been changed to "spring element", and this addresses the Examiner's concerns. The claim clearly properly further limits claim 1, see for example the grooves of claim 5. Reconsideration is requested. Claim 6 has also been amended and is believed to be in proper form under 35 USC 112, second paragraph.

In claim 7, the requested change has been made.

Claim 9 has been amended to remove the preferential claim language, which has instead been presented as new claim 10

Based upon the foregoing, it is submitted that claims 1-10 as presented in this paper are in proper form under 35 USC 112, second paragraph.

Turning to the art rejections, the Examiner rejected independent claim 1 as anticipated by FR 1,250,349 (FR '349), and also by US 5,765,263 to Bolinas et al. (Bolinas). Reconsideration of these rejections is requested.

Claim 1 calls for a door hinge with a holder for motor vehicle doors. The door hinge has a pillar bracket and a door bracket which are pivotably linked together by a hinge pin. The hinge pin is arranged in one of these brackets in an anti-rotational manner, and rotatably arranged in the other of these brackets.

The holder comprises a stop member carrier and an engagement element. The stop member carrier is connected in an anti-rotational manner with the hinge pin. The engagement element is supported so as to be rotatable together with the other bracket relative to the stop member carrier. The engagement element has at least one stop mark on a surface facing the stop member carrier. At least two stop members biased by a

spring element are arranged on the stop member carrier in such a way that the stop members can be brought into engagement with the surface of the engagement element. A spring element (9) presses at its ends against two neighboring or opposite stop members (7). The stop marks (24) are distributed on the surface of the engagement element (6) facing the stop member carrier (8) in such a way that the stop members (7) can be brought into alternate engagement with associated stop marks (24).

Turning to the rejection based upon FR '349, the Examiner has found the hinge pin structure in FR '349 to also be the stop member carrier, and has found the other bracket (d) to also be the engagement element. In point of fact, these structures in FR '349 cannot do double duty to sustain this rejection. Two claimed elements are entirely absent from FR '349, depending upon how one interprets the structure of FR '349. Either FR '349 totally lacks the entire holder structure (i.e., stop member carrier and engagement member) or it totally lacks the hinge pin and other bracket. Either way, FR '349 fails to anticipate claim 1.

Considering the teachings of Bolinas, Figure 3 appears to be illustrative of this device. Bolinas discloses a very different structure from the standpoint that there is no engagement member, or there is no "other bracket". Similarly to FR '349 above, the same components in Bolinas are being alternately found to meet different elements of claim 1, and reconsideration is requested. It is also noted that the Examiner does not mention the engagement element in discussing Bolinas.

For either of these interpretations to stand, the hinge structure and the holder structure must be the same, while in the present invention both of these structures are present, that is, there is a hinge connection between the two brackets and the hinge pin, and there is also a holder having a stop member carrier and an engagement element. This structure allows for a smooth hinge connection at the load bearing point of the door hinge, with the separate holder structure having stop members

and engagement element to provide the desired stop positions. It is submitted that neither FR '349 nor Bolinas discloses or suggests this subject matter and claim 1 is therefore believed to be allowable over these references and all art of record.

Dependent claims 2-10 all depend directly or indirectly from claim 1 and are believed to be allowable based upon this dependency and also in their own right.

New dependent claim 11 has been added and further highlights differences in the present invention from the disclosures of the prior art. As indicated above, the present invention has separate structures which define the hinge pin and brackets on the one hand, and the holder on the other hand. The prior art, when interpreted to try to meet claim 1, invariably blends these structures together. Claim 11 calls for the hinge and other bracket to define a sliding section (15) and for the holder (stop member carrier and engagement element) to be spaced axially from the sliding section. Claim 11 is believed to be allowable over the art of record as well.

An earnest and thorough effort has been made to respond to all issues raised in the office action and to place this application in condition for allowance. If, upon consideration of this paper, the Examiner believes that issues remain, the Examiner is invited to telephone the undersigned to discuss and resolve same.

It is believed that no fees are due in connection with this paper. If any such fees are due, please charge same to Deposit Account No. 02-0184.

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